

changing to partial retention. I feel this way we will be in a much stronger position to make a decision in this sensitive area

The State also requested that the visual middleground be protected from the North Fork Malheur trail and meadows. The middleground is area 1/4 to 3 miles from the viewpoint, in this case the trail and meadow I fully agree with this request and have added a standard which allows protection to the middleground as seen from the trail and meadow

For additional information on visuals reference the FEIS, IX, INDEX, "VISUAL RESOURCE and VISUALS CORRIDORS".

ISSUE AREA : Native American Treaty Rights

Following release of the Draft EIS and proposed Forest Plan, the Forest received formal and detailed substantive comments and recommendations from Native American groups, primarily Columbia River Inter-tribal Fish Commission and Confederated Tribes of the Umatilla Indian Reservation. Most comments were highly critical of the consideration given to Native American treaty rights. Often mentioned were strong concerns over lack of adequate protection of Forest resources, specifically anadromous fisheries and riparian zones, big game, timber management, old growth, and unroaded areas.

During development of the final Forest Plan, the Forest has consulted with Native American people to ensure greater consideration to their needs and rights under existing treaties. Both through formal and informal consultation with Columbia River Inter-tribal Fish Commission (CRITFC), Confederated Tribes of the Umatilla Indian Reservation, and other Native American groups, the Forest has established greater understanding of Native American concerns for management of the Malheur National Forest.

The selected alternative affords greater consideration to the treaty-protected rights of fishing and hunting than was provided in the DEIS preferred alternative (Alternative F). Anadromous fish are a resource having subsistence, ceremonial, and commercial value to tribal members. The Forest has a substantial role in anadromous fish production in the Columbia River basin, as the Forest manages much of the headwater lands of the greater John Day River system. The Forest also manages lands within the headwaters of the Malheur River system, where the Burns Paiute, Cayuse, Umatilla (CTUIR), Nez Perce (LAPWAI), and Tenino (Warm Springs) once shared camps in and around Logan Valley.

Additionally, the selected alternative will support big game populations, which are important to tribes for both subsistence and ceremonial purposes. Emphasis will be given to wildlife management in most unroaded areas. Uneven-aged timber management will be featured on many acres of the Forest, with production of ponderosa pine a key emphasis. Livestock grazing and protection of Native sites having religious and cultural importance are also provided for by the Plan.

I expect the Forest to establish and maintain even closer coordination and a government to government relationship with the tribes in the future on implementation and monitoring of the Forest Plan. For additional information on this subject reference the FEIS, CHAPTER IX, INDEX, "NATIVE AMERICAN and NATIVE AMERICAN TREATY RIGHTS"

ISSUE AREA · Wild and Scenic Rivers

Since the draft EIS was published, evaluation of all potential candidates for designation under the Wild and Scenic Rivers Act (P.L. 90-542) has been completed. Comments received on the DEIS were incorporated into this analysis. A discussion of the process is included in CHAPTER III of the FEIS. As

a result of this analysis, the Forest leadership team determined that portions of the North Fork Malheur River and Malheur River on the Forest were suitable for potential designation as Wild and Scenic Rivers. Before these recommendations could be formally submitted, the same river segments were designated in the Oregon Omnibus Wild and Scenic Rivers Act of 1988 (P.L. 100-577).

These two areas are identified in the Forest Plan in Management Area 22. Boundaries for the river corridors to be managed under this designation were recently defined and have included the "outstandingly remarkable" characteristics. As required under the Omnibus Oregon Wild and Scenic Rivers Act, a detailed management plan will be prepared by October, 1991 for both of these areas. This plan will identify specific direction and prescriptions to be followed in the management of these areas. When completed, this management plan will be incorporated into the Forest Plan. Until the management plan is completed, no timber harvest or construction projects, such as recreation facilities or trails, will be permitted.

For additional information on this subject reference the FEIS, CHAPTER IX, INDEX, "WILD AND SCENIC RIVERS".

ISSUE AREA : Diversity of Plant and Animal Communities

Diversity is the distribution and abundance of different plant and animal communities and species in a given area. Diversity, however, is too complex to be evaluated, measured or managed as a single entity. Biological communities, ecosystems, species, genetic variability, and landscape all contribute to the concept of ecosystem diversity.

New and greater demands are being placed on the Forest by a growing human population and changing patterns of forest uses. There are different opinions on how plant and animal communities should be treated on the Forest, and the type, magnitude, and intensity of future resource management activities that should be allowed. Areas of the Forest where vegetation is not actively managed are desired by some people. The productivity on the Forest in terms of wood products and plant and animal populations is of critical interest to others. How ecosystems are managed and what attributes make the Forest valuable to the American public are all subjects that generate interest.

The paragraphs above give a broad overview of the complexity surrounding diversity. I feel that the Malheur selected alternative best provides for biological diversity. In order to maintain the natural vegetative diversity that exists across the Forest, thus providing a variety of landscape or habitat conditions across the Forest, the selected alternative:

- Features/emphasizes ponderosa pine on many of the Forest's mixed conifer acres and on all of our ponderosa pine acres.
- Increases uneven-aged management to approximately 225,000 acres of the managed forestland. This technique will feature multiaged canopies with fairly small parcels (approximately 2 acres) of forestland.
- Provides snags and snag replacement trees at or above 40% potential population levels over the entire Forest (all lands capable of producing snags).
- Provides old-growth replacement timber management strategies that will give an intermediate age class structure between intensively managed forest and unmanaged (dedicated) old-growth habitat.

- Closes roads not needed for Forest access, whereby providing for maintenance of higher snag levels, simply because removal for firewood harvest will be more difficult.
- Maintains higher levels of cover across the Forest for big-game habitat emphasis, thus providing the potential for greater vegetative diversity

I urge the reader to refer to the FEIS, CHAPTERS III and V for a more in-depth discussion on diversity. I strongly feel that the selected alternative, for the reasons listed above and also in the FEIS, provides for a rich and diversified ecosystem.

ALTERNATIVES CONSIDERED

Ten alternatives were analyzed in detail in the Draft EIS. Through a review of the analysis process, updating the modeling techniques, and in response to public comments, Alternative I has been developed and is included in alternative evaluations for the FEIS. In addition, five alternatives included in the DEIS have been deleted as viable options due to lack of broad support and their similarities to other developed alternatives (see: Alternatives Considered but Eliminated from Detailed Study in CHAPTER II of the FEIS).

During the public review and comment period, the Forest was requested to analyze three additional alternatives. The first two requests were made by the Grant County Conservationists, for the "Grant County Conservationist Alternative" (GCC) and also an alternative called the "Citizen's Multiple Use Alternative" (CMUA). The latter alternative was developed by a coalition including the Grant County Conservationists, the Oregon Natural Resources Council, the Oregon Hunters Association, the Oregon Wildlife Federation, and other organizations.

Also during the comment period, a coalition of timber industry representatives developed their own alternative, "Alternative Preferred-Plus - The Community Oriented Plan." This alternative was also supported by such industry organizations as Associated Oregon Loggers, Northwest Forest Resource Council, the Northwest Forestry Association, and the Western Forest Industries Association.

Meetings throughout the spring and early summer of 1988 with advocates of the GCC, CMUA, and Preferred-Plus alternatives provided the information necessary to model these alternatives, using FORPLAN analysis to describe resource outputs. However, these alternatives were eliminated from detailed study (Final EIS, Chapter II, Section B) either because they closely resembled other alternatives which were developed in detail, or because they were determined not to be fully implementable alternatives. Two of the fully developed alternatives (B-Modified and C-Modified) were modified, incorporating aspects of the GCC, CMUA, and Preferred-Plus Alternatives. For additional information on this subject reference the FEIS, CHAPTER IX, INDEX, "ALTERNATIVES".

- **ALTERNATIVE NC (No Change)**

The No Change Alternative (Alternative NC) was developed in response to appeals brought by the Northwest Forest Resource Council who stated that a "... true no-action alternative representing current management plans" was not included in Forest Plan EIS.

This alternative continues management under the 1979 Timber Resource Management Plan without the full requirements of the National Forest Management Act of 1976 (NFMA). It could not be implemented or used in future management of the Malheur NF under the Forest Plan without Congressional and/or Secretary of Agriculture action to change law or regulations.